

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-318-E - ORDER NO. 2009-22
JANUARY 16, 2009

IN RE: Complaint of Israel Gonzalez v. South Carolina Electric & Gas Company) ORDER GRANTING) SOUTH CAROLINA) ELECTRIC & GAS) COMPANY'S MOTION) TO DISMISS) COMPLAINT
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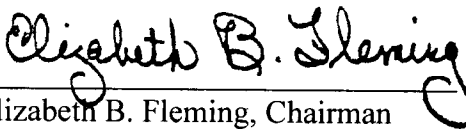
This matter comes before the Public Service Commission of South Carolina ("Commission") on the motion of South Carolina Electric & Gas Company ("SCE&G") to dismiss the above-referenced complaint. On December 9, 2008, this Commission issued Order No. 2008-803, which held in abeyance SCE&G's motion to dismiss the complaint until time of hearing on this matter unless SCE&G provided an affidavit verifying the information provided in support of its motion to dismiss. Further, Order No. 2008-803 allowed Israel Gonzalez ("Complainant") the opportunity to respond to SCE&G's motion to dismiss and any verified supporting documentation. The order specified that the Complainant should, within ten days after service of Order No. 2008-803, file any response to the motion for dismissal, and further informed the Complainant that, if he failed to file any such response within the specified time, the motion could be granted as unopposed.

To date, the Complainant has not filed any response to the motion. On the other hand, SCE&G has verified its allegations by Affidavit filed December 29, 2008. As the

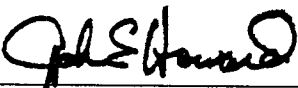
Complainant has had ample opportunity to file a response to the motion to dismiss, but has failed to do so, the Commission deems the motion unopposed and grants the relief sought. The Complaint is hereby dismissed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)